

REMARKS

Applicants thank the Examiner for the courtesy of conducting a telephone interview with the undersigned representative on September 22, 2009. During the interview, the Examiner agreed that the cited references do not disclose features of the claimed invention for the reasons discussed below in detail. The Examiner also indicated that since the arguments presented below were previously made by the Applicants and were not considered by the Examiner, an advisory action would not be issued after the filing of this response.

Claims 1-4, 9, 11-16 and 18-24 are rejected under 35 USC 103(a) as being unpatentable over Chang in view of Meffert. This rejection is respectfully traversed.

The Examiner states that col. 17, lines 15-27 and 40-65 of Chang disclose the claimed “attaching one of the re-formatted data having the decided format or the current format data having the decided format as an attachment to the e-mail,” as recited in claim 1. Applicants respectfully disagree. These excerpts of Chang merely disclose delivering formatted data (i.e., voice mail messages) to a user via phone rather than an e-mail attachment. Therefore, Chang’s system does not attach one of the re-formatted data having the decided format or the current format data having the decided format as an e-mail attachment, as required by claim 1.

Specifically, Chang discloses a system in which an audio message is received as an e-mail attachment at a local server and the local server determines whether the e-mail is intended for a local recipient or a remote recipient. Chang, col. 17, lines 15-27 and 40-65. If the e-mail is intended for a local recipient (i.e., the destination address of the recipient is within a local area), the local server of Chang converts the audio file attachment of the e-mail to a message having a voicemail format and delivers the voice mail message to the intended recipient by calling recipient’s designation phone number. Chang, col. 17, lines 46-57. On the contrary, if the e-mail is intended for a remote recipient (i.e., the destination address of the recipient is better served by a remote server), the local server of Chang simply transmits the original e-mail including the original unformatted audio message to the remove server. Chang, col. 17, lines 61-

65. In neither case, however, does Chang's system attach data having the decided format to as an attachment to an e-mail, as required by claim 1. Accordingly, Chang fails to disclose or suggest this feature.

In addition to the excerpts of Chang discussed above, the Examiner also cites col. 15, lines 1-24 of Chang as allegedly disclosing this feature. Applicants once again respectfully disagree. These excerpts of Chang are related to sending a fax to a recipient as an e-mail attachment. However, unlike the claimed requirement that format of data be decided depending on the recipient's domain name, Chang converts received fax transmissions to a standard graphic format (e.g., BMP, JPED, etc.) regardless of the recipient's destination information. Further, unlike the claimed requirement that one of the re-formatted data or the current format data be attached to the e-mail, Chang never attaches any current format data to the e-mail because it converts all incoming fax messages to the standard graphic format and only attaches the converted files to the e-mail. Accordingly, Chang fails to disclose or suggest this feature.

Meffert does not overcome the deficiency of Chang discussed above. In fact, Meffert is only relied on as allegedly disclosing limiting the ability of a user associated with an email to electronically handle the data. Accordingly, claim 1 is allowable. Claims 2-4, 13-16 and 21-24 recite similar features as claim 1 and are similarly allowable. Claims 9, 11-12 and 17-20 are allowable for being dependent from an allowable claim.

Claims 5-8 and 17 stand rejected under 35 USC 103(a) as being unpatentable over Chang and Meffert in view of Mai. Claim 10 stands rejected under 35 USC 103(a) as being unpatentable over Chang and Meffert in view of Dunnion. These rejections are respectfully traversed.

Claims 5-8, 10 and 17 depend from an allowable claim. Neither Mai nor Dunnion overcome the deficiencies of Chang and Meffert in teaching the features of the independent claims as discussed above. Thus, claims 5-8, 10 and 17 are allowable.

In view of the above, each of the claims in this application is in condition for allowance. Accordingly, applicants solicit early action in the form of a Notice of Allowance.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to

Deposit Account No. 03-1952 referencing Docket No. **325772033000**.

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Respectfully submitted,

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